

Honolulu, Hawaii

FEB 05 2024

RE: S.B. No. 2377

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2377 entitled:

"A BILL FOR AN ACT RELATING TO COMPENSATION FOR COURT-APPOINTED COUNSEL,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel in criminal proceedings.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, ACLU of Hawai'i, Hawaii State Bar Association, Hawai'i Association of Criminal Defense Lawyers, and nineteen individuals.

Your Committee finds that indigent criminal defendants have a right to representation by competent counsel appointed by the court, usually by the Office of the Public Defender. However, in cases where there is, or there arises, a conflict between the defendant and the Office of the Public Defender, the defendant has a right to the appointment of a private defense counsel. This measure will attract competent individuals to serve as appointed counsel for qualified criminal defendants by ensuring that appointed counsel are adequately compensated for their work.

Your Committee notes that over the last decade there has been a dramatic decrease in qualified applicants to the court-appointed



lists of each circuit, which has in turn caused a shortage of available counsel to take indigent defendant criminal cases statewide.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2377 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



